

To: Grevatt, Peter[Grevatt.Peter@epa.gov]; Clark, Becki[Clark.Becki@epa.gov]; Bergman, Ronald[Bergman.Ronald@epa.gov]; Green, Holly[Green.Holly@epa.gov]; Lopez-Carbo, Maria[Lopez-Carbo.Maria@epa.gov]
From: Flaharty, Stephanie
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[WV Scientists on Elk River Spill letter.1.24.14.pdf](#)

Scientists fault EPA, CDC for failing to answer questions on W.Va. spill

Jason Plautz, E&E reporter

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West Virginia scientists are criticizing U.S. EPA and the Centers for Disease Control and Prevention for putting up "barriers" between scientists and the public in the aftermath of a chemical spill this month that left 300,000 without tap water for days.

"Your agencies have repeatedly failed to adequately respond to questions from the public and the press," say 24 area scientists in a [letter](#) [attached]. "We deserve to be told what is known -- and what is not known -- about the risks the chemical poses to human health as the disaster unfolds."

"Only an informed citizenry can make informed choices," the letter continues.

EPA and CDC have been repeatedly criticized for their lack of public engagement after the spill of the coal-scrubbing chemical 4-methylcyclohexane methanol (MCHM) into the Elk River near Charleston. Because MCHM was not classified as hazardous under the 1976 Toxic Substances Control Act, there's been very little testing of the chemical and there's no data on the dangers of long-term exposure or its effects on humans.

Earlier this week, the Society of Professional Journalists and Society of Environmental Journalists blasted CDC and EPA for seeming "to be evading the news media, and by extension the public" ([E&ENews PM](#)

, Jan. 21).

[CDC has also been criticized for declaring Jan. 13 that water was safe to drink after testing revealed levels of MCHM below 1 part per million, only to advise three days later that pregnant women should still avoid tap water. The agency was criticized for not immediately clarifying its decision and for a press call that was deemed "incomplete" by the journalism societies.](#)

[The scientists' letter, sent today to CDC Director Tom Frieden and EPA Administrator Gina McCarthy, was orchestrated by the Union of Concerned Scientists' Center for Science and Democracy and calls for CDC and EPA scientists to be made more available to the public and press.](#)

[The letter was signed by scientists from West Virginia University, Marshall University, the National Institute for Occupational Safety and Health, and other institutions.](#)

CSB testifies for state legislators

Also this morning, the U.S. Chemical Safety Board gave the West Virginia Legislature an update on its investigation into the spill. Appearing before the Joint Legislative Oversight Commission hearing in Charleston, CSB Chairman Rafael Moure-Eraso told legislators that the board would be investigating the siting of chemical facilities near drinking water.

Saying this was CSB's third visit to West Virginia's Kanawha Valley, which has a number of large chemical plants and storage facilities, Moure-Eraso promised a full investigation of the leak and recommendations that could address siting, leak detection and safe storage of chemicals. CSB investigator Johnnie Banks said the board had already submitted document requests for site drawing, tank and dike specifications and would be looking at whether a secondary containment wall was effective to prevent leaks.

Banks said the board -- which does not have regulatory power and can only issue recommendations -- saw the spill as a "warning to other communities."

"We want to prevent it from happening again," Banks said.

Lawmakers seek answers from Freedom president

Questions, meanwhile, continue to swirl about Freedom Industries and what chemicals the company was storing in the tank.

Reps. Henry Waxman (D-Calif.) and Paul Tonko (D-N.Y.) wrote to company President Gary Southern asking for information on the chemicals at the plant and what the company's financial responsibility for the cleanup would be in light of the company's recent bankruptcy filing.

"We are concerned that when all is said and done, taxpayers will be left to pay for any long-term costs of cleaning up contamination from your Elk River facility," the Democrats wrote yesterday. They're requesting more information by the end of the month.

This week in a letter to the West Virginia Department of Environmental Protection, Southern clarified that the tank in question was storing crude MCHM and "PPH stripped," a mixture of two other chemicals added to the MCHM as an extender. There's little information available on PPH, which is believed to be less toxic and made up 7.3 percent of the mixture in the tank.